

1 BILL NO. Z-88-03-21 (AS AMENDED)

2 ZONING MAP ORDINANCE NO. Z-

3 AN ORDINANCE amending the City of  
4 Fort Wayne Zoning Map No. T-14.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
6 FORT WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is  
8 hereby designated a R-1 (Single Family Residential) District  
9 under the terms of Chapter 33 of the Code of the City of  
10 Fort Wayne, Indiana of 1974:

11  
12 The real estate to be rezoned lies in the SW quadrant  
13 of Sec 33 St. Joseph Township 31 North, Range 13 East,  
14 starting at a point 50 feet south and 40 feet east of  
15 the NW corner of the SW quadrant, Sec 33, Township 31  
16 North, Range 13 East: Commencing at the NW corner of  
17 Lot #1 in the Statewood Park Addition, Section "A", in  
18 the City of Fort Wayne, Allen County, Indiana; thence  
19 south a distance of approximately 669.5 feet to a point  
20 at the SW corner of Lot #50 in the Statewood Park  
21 Addition, Section "A"; thence east a distance of  
22 approximately 780 feet to a point at the NW corner of  
23 Lot #97 in the Statewood Park Addition, Section "C";  
24 thence south a distance of approximately 660 feet to a  
25 point at the NE corner of Lot #147 in the Statewood  
26 Park Addition Section "D"; thence West a distance of  
27 approximately 786.5 feet to a point at the NW corner of  
28 Lot #141 in the Statewood Park Addition Section "D";  
29 thence south a distance of approximately 505 feet to a point at  
30 the SW corner of Lot #156 in the Statewood Park  
31 Addition, Section "D"; thence east a distance of 1686.5  
32 feet to a point 154.5 feet south of the SE corner of  
Lot #114 in the Statewood Park Addition, Section "C";  
thence north to a point at the NE corner of Lot #121 in  
the Statewood Park Addition, Section "C"; thence east,  
a distance of 486 feet to a point at the SE corner of  
Lot #77 in the Statewood Park Addition, Section "B";  
thence North a distance of 250 feet to the point at the  
SE corner of Lot #81 in the Statewood Park Addition  
Section "B"; thence east a distance of 145 feet to a  
point at the SE corner of Lot #35 in the Statewood Park  
Addition Section "B"; thence north a distance of 409.5  
feet to a point at the NE corner of Lot #30 in the  
Statewood Park Addition Section "A"; thence west, along  
the North line of Lots #1 thru #30 in said Statewood  
Park Addition Section "A", a distance of 2315 feet to  
the point of beginning at the NW corner of Lot #1

and the symbols of the City of Fort Wayne Zoning Map No.

T-14, as established by Section 11 of Chapter 33 of the Code  
of the City of Fort Wayne, Indiana are hereby changed



1 accordingly.

2 SECTION 2. That this Ordinance shall be in full force  
3 and effect from and after its passage and approval by the  
4 Mayor.

5 *Janet H. Bradbury*

6 Councilmember

7 APPROVED AS TO FORM AND LEGALITY:

8 J. TIMOTHY MCCAULAY, CITY ATTORNEY  
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ZONING MAP ORDINANCE NO. Z-\_\_\_\_\_

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hereby designated a R-1 (Single Family Residential) District  
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Fort Wayne, Indiana of 1974:

The real estate to be rezoned lies in the SW quadrant  
of Sec 33 St. Joseph Township 31 North, Range 13 East,  
starting at a point 50 feet south and 40 feet east of  
the NW corner of the SW quadrant, Sec 33, Township 31  
North, Range 13 East: Commencing at the NW corner of  
Lot #1 in the Statewood Park Addition, Section "A", in  
the City of Fort Wayne, Allen County, Indiana; thence  
south a distance of approximately 1834.5 feet to a  
point at the SW corner of Lot #156 in the Statewood  
Park Addition, Section "D"; thence east a distance of  
1686.5 feet to a point 154.5 feet south of the SE  
corner of Lot #114 in the Statewood Park Addition,  
Section "C"; thence north a distance of 1150.5 feet to  
a point at the NE corner of Lot #121 in the Statewood  
Park Addition Section "C"; thence east a distance of  
486 feet to a point at the SE corner of Lot #77 in the  
Statewood Park Addition Section "B"; thence north a  
distance of 250 feet to a point at the SE corner of Lot  
#81 in the Statewood Park Addition, Section "B"; thence  
east a distance of 145 feet to a point at the SE corner  
of Lot #35 in the Statewood Park Addition, Section "B";  
thence north a distance of 409.5 feet to a point at the  
NE corner of Lot #30 in the Statewood Park Addition,  
Section "A"; thence west, along the north line of Lots  
#1 thru #30 in said Statewood Park Addition, Section  
"A", a distance of 2315 feet to the point of beginning  
at the NW corner of Lot #1.

and the symbols of the City of Fort Wayne Zoning Map No.  
T-14, as established by Section 11 of Chapter 33 of the Code  
of the City of Fort Wayne, Indiana are hereby changed  
accordingly.

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and effect from and after its passage and approval by the  
Mayor.



Janet G. Bradbury  
Councilmember

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay  
J. TIMOTHY MCCAULAY, CITY ATTORNEY

FOX RIVER BOND  
25% COTTON



Read the first time in full and on motion by Bradbury, seconded by Salinas, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 3-22-88

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Salinas, and duly adopted, placed on its passage. ~~PASSED~~ LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>LONG</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 7-26-88

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~) (~~SPECIAL~~) (ZONING MAP) ORDINANCE RESOLUTION NO. 3-09-88 on the 26th day of July, 1988,

ATTEST:

SEAL

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Thomas E. Henry  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of July, 1988, at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 27th day of July, 1988, at the hour of 2:45 o'clock P. M., E.S.T.

P. Helmke  
PAUL HELMKE, MAYOR



CD&P #323

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE \_\_\_\_\_

Zoning Ordinance Amendment

2-88-03-21

DEPARTMENT REQUESTING ORDINANCE \_\_\_\_\_

Land Use Management - CD&P

SYNOPSIS OF ORDINANCE \_\_\_\_\_

Property is generally located south of State Blvd.,

East of Reed Road, and North of Madera Drive.

EFFECT OF PASSAGE \_\_\_\_\_

Property is presently zoned RA - Suburban Residential.

Property will become - R-1 - Single Family Residential.

EFFECT OF NON-PASSAGE \_\_\_\_\_

Property will remain RA - Suburban Residential District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE (J.N.) \_\_\_\_\_

# Division of Community Development & Planning

## BRIEF TITLE

## APPROVAL DEADLINE

## REASON

Zoning Ordinance Amendment  
From RA to R-1

## DETAILS

<b>Specific Location and/or Address</b>  Property is generally located south of State Blvd., East of Reed Road and North of Madiera Drive.
<b>Reason for Project</b>  Downzoning
<b>Discussion (Including relationship to other Council actions)</b>  <u>March 21, 1988 - Public Hearing</u>  See Attached Minutes of Meeting  <u>28 March 1988 - Business Meeting</u>  Motion was made and seconded to return the ordinance to the Common Council with DO PASS recommendation as perfected:  Exclude the following tracts of land:  the 7½ acre Zimmerman tract the 2½ acre Walker tract; and, the 2½ acre Witwer tract  Motion carried.  Of the seven (7) members present six (6) voted in favor of the motion (1) did not vote.  NOTE: This ordinance has been held until the petitioner could supply the staff with an amended legal reflecting the conditions of the Commission.

## POSITIONS

## RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide  Other Areas
Applicants/ Proponents	Applicant(s) Statewood Park Association  City Department  Other
Opponents	Groups or Individuals Elmer & Betty Zimmerman Richard Whitemore Louis & Carol Diller <b>Basis of Opposition</b> -area has changed and certain properties included in the request are no longer suitable for R-1 designation
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against
Board or Commission Recommendation	By  <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
<b>CITY COUNCIL ACTIONS</b> (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass



**DETAILS**

**POLICY/ PROGRAM IMPACT**

Policy or  
Program  
Change

☐

No

☐

Yes

Operational  
Impact  
Assessment

(This space for further discussion)

**Project Start**

**Date** 14 December 1987

**Projected Completion or Occupancy**

**Date** 16 June 1988

**Fact Sheet Prepared by**

Patricia Biancaniello

**Date** 16 June 1988

**Reviewed by**

*Paul D. Baker*

**Date** 6/21/88

**Reference or Case Number**



2. Public Hearing on Zoning Map Amendments

- a. Change of Zone #323  
From R-A to R-1

Generally located south of East State Blvd., east of  
Reed Road and north of Madiera Drive.

Walter Niblick, President of the Statewood Park Neighborhood  
Association appeared before the Commission. Mr. Niblick  
stated they were requesting the downzoning in order to maintain



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21 March 1988

the integrity of the neighborhood. He stated that they are being encroached upon in the area by apartment buildings. He stated that they have had a rise in vandalism.

Mike Tippman, an area resident stated that he has lived in the area for 15 years and was in favor of restricting the area to R-1 zoning. He stated that he was a City Policeman and has seen what apartment developments encroaching into single family residential areas does as well as the possibility of homes in the area being duplexed or multi-family developed. He stated that he believed this type of encroachment did cause deterioration of single family neighborhood.

Ray McIntosh, 5405 Forest Avenue, stated he agreed with the prior to speakers that maintaining the integrity of the addition is important. He stated he felt it was important to zone to R-1 to keep multi-family and duplexes out of the addition.

Philip Larmore, attorney, representing William and Mary Walker. He stated that he wanted to speak in opposition to the downzoning of the real estate that the Walkers own and were not opposed to the petition for the other properties. He stated the Walkers did not sign the petition to downzone and do not wish to have their property included in the downzoning. He stated that the Walkers own a portion of the property included in the downzoning which is not platted. He stated that they own the south 2 1/2 acres. He stated that this property is not a part of the Statewood Subdivision. He stated that the reason they do not want the downzoning is that since 1970 the Walkers have had a special use permit, which was granted in 1970 by the Fort Wayne Board of Zoning Appeals which allowed them to change their non-conforming dog kennel to a conforming use. He stated that the Walkers run a very fine operation known as K-9 Ranch Kennels. He stated that there has been a kennel operation on this property since 1945. He stated that the Walkers acquired the business in 1969 and shortly afterwards received the BZA special use variance. He stated that the special use creates certain proprietary and zoning rights which are only to be tampered with if compensation is paid to the owner. He stated that he had spoken with David Wright, Plan Commission attorney, and he agreed with him that for the property of the Walkers, who did not join in the petition to be rezoned from RA to R1 might very likely jeopardize their special use permit, in which they have a significant investment and cause them a great deal of monetary damages. He stated they both agreed that this is the kind of thing that some Courts have held that constituted taking without compensation. He stated that there was a situation in California where a property was



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21 March 1988

upzoned contrary to the wishes of the owner and it was held that this was a taking of without just compensation and violating the 14th Amendment. He stated that they would ask that the Walkers property be exempt from the rezoning, since they believe and the Plan Commission attorney believes that it might interfere with their special use permit and the business that they operate there.

Angie Derheimer questioned if there were any long range plans for the entire 12.5 acres, of which the Walkers own 2.5, that is unplatted which might also constitute a reason why they would not want to downzone.

Mr. Larmore stated he could not address that, he could only speak for the portion of the unplatted area that the Walkers own.

Elmer Zimmerman, 1920 Reed Road, stated that he owned 7.5 acres of the 12.5 acres of unplatted area that is not a part of the Statewood Park Association but had been included in the requested downzoning. He stated that he was in opposition to the request. He presented a letter to the Commission in which he stated that the downzoning of the acreage appears to be an unfair infringement of their rights as property owners. He stated that this unplatted 12.5 acres has never been a part of the State Neighborhood Association. He concluded by requesting that the Plan Commission consider excluding this acreage from the Statewood petition.

Richard Whitmore, 1823 Berkley Avenue appeared before the Commission. Mr. Whitmore stated that he owned the 2.5 acres between Mr. Walker and Mr. Zimmerman. He stated that his name was on the petition that was circulated to downzone. He stated however that he was under the impression that the petition was for only Statewood Park. He stated that he was opposed to the zoning of the unplatted 2.5 acres of his property.

Louis & Carol Diller, 4908 E. State Street appeared in opposition before the Commission. Mr. Diller stated that they did not feel that E. State in this area was still conducive for R-1 residential. He stated that they had spoken with Carl O'Neal and had been informed that 26,000 cars per day E. State. He stated he did not feel that this State Street area should be zoned R-1.

Betty Zimmerman, 1920 Reed Road, spoke in opposition to the request. She stated that she was reinforcing the opposition of her husband. She stated she did not feel that they have always been on the best of terms with the Statewood Neighborhood



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Association and that their property was an asset to the area.

Carol Thomas, 4820 E. State Bl, appeared before the Commission in opposition. She stated that E. State Boulevard has changed drastically. She stated that the traffic is tremendous. She stated that the rezoning for the residents on State Street is not appropriate.

In rebuttal, Mr. Niblick stated that he would like to respond to the residents of the unplatted 12.5 acres. Mr. Niblick stated if they did not get a chance to see the petition it was not intentional. He stated that he could understand why they did not feel like being a part of the association. He stated on the original legal description that was presented to the staff this property was not included. He stated that he had to work with the staff to have a legal description that closed and would square off the boundaries of the request. He stated they want in no way to cause any problems with the activities that go on with the K-9 Ranch, or with Mr. Zimmerman's property. He stated that they have no desire to interfere with what is being done on those properties presently. He stated however that these properties could change hands or be sold and then could be developed into multi-family development.

John Shoaff stated he was of the understanding that the Association did not object to the 12.5 acres remaining RA but would in all probability object to certain uses allowed in RA zoning.

Mr. Niblick stated that was correct.

John Shoaff questioned what Mr. Niblick's opinion was on not including the property along State because of the changes that have taken place along State Street.

Mr. Niblick stated that he felt if you did not include the properties fronting on State Street, they could go to multi-dwellings which would probably mean parking in the rear of the properties which is now yard. He stated they would be definitely opposed to that.

Ross Cater, 4832 E. State Street, stated he was in opposition. He stated that he wanted to know if certain lots could be excluded from this request. He stated that he would like to taken out since he did not want his property to be rezoned.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.





# The City of Fort Wayne

July 22, 1988

Sandra E. Kennedy  
City Clerk  
City-County Building  
Fort Wayne, Indiana 46802

Dear Sandy

Please withdraw Bill No. S-88-07-13, regarding reference #8FLP216 for the purchase and installation of an access control system for the Filtration Plant.

This Bill is being withdrawn for further research and investigation.

Thanks,

A handwritten signature in cursive script that reads "Gloria".

Gloria J. Goeglein  
Purchasing Director



BILL NO. S-88-07-13

REPORT OF THE COMMITTEE ON Committee of the Whole  
FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~XXXXXXXXXX~~ RESOLUTION) approving the  
awarding of Reference #8FLP216 by the City of Fort Wayne  
Indiana, by and through its Department of Purchasing and  
Koorsen Protection Services for the Filtration Plant

*With Honor*

HAVE HAD SAID (ORDINANCE) (~~XXXXXXXXXX~~ RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~XXXXXXXXXX~~ RESOLUTION) **DO PASS**

YES

NO

*Mark E. Schmitt*  
DONALD J. SCHMIDT  
CHAIRMAN

*Samuel J. Talarico*  
CHARLES B. REDD  
VICE CHAIRMAN

*James S. Stier*  
SAMUEL J. TALARICO

*Janet G. Bradbury*  
JAMES S. STIER

*Janet G. Bradbury*  
JANET G. BRADBURY

*Paul H. Burns*  
CONCURRED IN

Sandra E. Kennedy  
City Clerk



RECEIPT NO. \_\_\_\_\_

THIS IS TO BE FILED IN DUPLICATE

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

I/We Statewood Park-Association Inc. ( Statewood Park Neighborhood Association)

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an RA District to a/an R-1 District the property described as follows:

Statewood Park Addition Lots 1-30, 35-77, 81-162

Vacant Lots #E 250 of W1076.5 of S 175 ft. SW quarter Sec 33-1 acre.

S 132 of N 1241 of W 825 ft. SW quarter Sec 33-2.50 acre.

10 CH S of N 8 1/2 CH of W 12 1/2 CH SW quarter Sec 33 except S5-A

150X460 ft. SPC Adj on S Lots 108-112 Statewood Park Sec C Sec 33.

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Wretha Douglas

5114 Nevada

Wretha Douglas

Tom Fishing

1835 Berkeley

Tom Fishing

Yolanda Henry

1811 Berkeley

Yolanda A. Henry

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_  
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Lowell E Snyder  
(Name)

1829 Dawn Ave FtWayne 46815  
(Address & Zip Code)

219/493-2202  
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.



Legal Description of property to be rezoned.

Owners of Property

Ray McIntosh	5405 Forest	<i>Ray McIntosh</i>
Walt Niblick	1806 Dawn	<i>Walt Niblick</i>
Art Smith	5409 Forest	<i>Art Smith</i>
Lowell Snyder	1829 Dawn	<i>Lowell Snyder</i>
Nancy Tippmann	5214 Forest	<i>Nancy Tippmann</i>
(Name)	(Address)	(Signature)
Don Weaver	1819 Dawn	<i>Don Weaver</i>

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.



I/We Statewood Park Association Inc. ( Statewood Park Neighborhood Association)  
 (Applicant's Name or Names)

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10 CH S of N 8 1/2 CH of W 12 1/2 CH SW quarter Sec 33 except S5-A

150X460 ft. SPC Adj on S Lots 108-112 Statewood Park Sec C Sec 33.

Robert P. Henry	1811 Berkley ave
Sam A. Hodge	1807 Berkley Ave
C. G. Samuels	1812 Berkley Ave.
Sharon Craft-Jensenberger	1812 Berkley Ave
Linda Wytwer	1818 Berkley Ave.
Blair W.	1818 Berkley Ave
Janice M Wytwer	1823 Berkley Ave
Richard J Wytwer	1823 Berkley Ave.
Paul M TERRY	1905 Berkley Ave.
Pat Terry	1905 Berkley Ave.
Sara Norlick	1911 Berkley Ave.
Richard Johnson	1919 Berkley Ave
Drewella Johnson	1919 Berkley Ave
Colleen Mc Cague	1807 Berkley Ave.
Steve L Richardson	1836 Berkley Ave
Dee E. Richardson	1836 Berkley Ave.
Robert W. McElroy	1829 Berkley Ave.
Barbara J. Sueder	1830 Berkley Ave.
Robert A. Sueder	1830 Berkley Ave.
Janet S. Sueder	1824 Berkley Ave.
Charles A. Sueder	1817 Berkley Ave

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<u>Alicia Snyder</u>	<u>1829 Dawn Ave</u>
<u>Lois Baldwin</u>	<u>1825 Dawn Ave</u>
<u>Fred C. Baldwin</u>	<u>1825 Dawn ave</u>
<u>Jack C. Shutt</u>	<u>1820 DAWN AVE</u>
<u>Marlene Shutt</u>	<u>1820 Dawn Ave.</u>
<u>Kenneth Hamman</u>	<u>1826 DAWN AV.</u>
<u>Fonda Hamman</u>	<u>1826 Dawn Ave.</u>
<u>Nancy Niblick</u>	<u>1806 Dawn Av.</u>
<u>Zola Bunkley</u>	<u>1832 Dawn Ave</u>
<u>Barbara Beck</u>	<u>1813 Dawn Ave</u>
<u>Pamela J. Clevenger</u>	<u>1811 Dawn Ave</u>
<u>Robert R. Clevenger</u>	<u>1811 Dawn Avenue</u>
<u>Gene Wright</u>	<u>1836 Dawn Drive</u>
<u>Lipie Weaver</u>	<u>1819 Dawn Avenue</u>
<u>Paul Miller</u>	<u>4811 FOREST AVE</u>
<u>Mark A. Beck</u>	<u>1812 Dawn Ave</u>



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150X460 ft. SPC Adj on S Lots 108-112 Statewood Park Sec C Sec 33.

Sherman Senger 5130 Delaware

Jacqueline Senger 5130 Delaware

Steve L. Richardson 1836 Berkley ave

Beth E. Richardson 1836 Berkley ave

Al Wibel 5115 DELAWARE AVE

Ann Wibel 5115 Delaware Ave

Ralph D Baker 5123 Delaware ave

Nasser Hadda 5131 Delaware Ave

I/We Statewood Park-Association Inc. ( Statewood Park Neighborhood Association)  
 (Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne  
 Indiana, by reclassifying from a/an RA District to a/an R-1  
 District the property described as follows:

Statewood Park Addition Lots 1-30, 35-77, 81-162

Vacant Lots #E 250 of W1076.5 of S 175 ft. SW quarter Sec 33-1 acre.

S 132 of N 1241 of W 825 ft. BW quarter Sec 33-2.50 acre.

10 CH S of N 8 1/2 CH of W 12 1/2 CH SW quarter Sec 33 except S5-A

150X460 ft. SPC Adj on S Lots 108-112 Statewood Park Sec C Sec 33.

Jamara Hess	4932	Forest Ave
P. Marshall Pig	5015	Forest Ave.
Calvin R. Gault	5021	Forest Ave
George Jones	"	"
Edo Aguirre Crippin	5022	Forest Ave.
Michael Scheffert	4834	Forest Ave
Mark Slen	4821	Forest Avenue
Betty Slen	4821	Forest Ave.
Karl M Biberstein	4905	Forest Ave.
Jean Bekeistine	4905	Forest Ave.
Dan J. Dine	4923	FOREST
Harry Kuhn	4938	FOREST AVE
Stephen W. Hess	4932	Forest Ave.
Sharon Galloway	4822	Forest Ave
Bar Huneck	4828	Nevada Ave
Frank Edwards	5016	Forest ave



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Michael J. Suppman	5214 Forest Ave.
Diana M. Welty	5230 Forest Ave
Howard Watson	5320 Forest Ave
William M. Clinton	5425 Forest Ave
Calvin Smith	5409 Forest Ave
Arthur J. Lugin	5106 Forest Ave
Kenneth Francis	5328 Forest Ave
Norma Francis	5328 Forest Ave
Don Hendrickson	5406 Forest Ave
Dorothy Hendrickson	5406 Forest Ave
John J. Jank	5419 Forest Ave
Ricki L. M. Lush	5405 Forest Ave
Jack L. Wabert	5319 Forest Ave
Sharon Wabert	5319 Forest Ave.
Larry J. M. J.	5307 Forest Ave.
Luis B. Michel	5307 Forest Ave.
Gayle A. Shaver	5221 Forest Ave.
Jack Esterday	5127 Forest Ave
Thelma Esterday	5127 Forest Ave
Lillian Ladig	5119 Forest Ave
Donald Ladig	5119 Forest Ave
Ruth Ladig	5109 Forest Ave
Don Calver	5111 Forest Ave
Barbara Meyers	5308 Forest Ave.
Joseph J. Meyers	5320 Forest Ave
Barbara Meyers	5418 Forest Ave.
Joseph J. Meyers	5418 Forest Ave.
Richard B. Lineman	5311 Forest Ave.
ally Lineman	5311 Forest Ave

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Douglas L. Wagner 5009 MADIERA DR.  
Michael W. Wagner 4917 Madiera Dr.  
Steve Wagner 4917 Madiera Dr.  
Florida Wagner 5009 Madiera Dr.



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<u>Jandra + Daniel H Buell</u>	<u>5018 Nevada Ave</u>	<u>Ft Wayne Ind</u>	<u>46815</u>
<u>Carolyn Malcolm</u>	<u>5008 Nevada Ave</u>		
<u>Jack Malcolm</u>	<u>5008 Nevada Ave</u>		
<u>Pat Lynch</u>	<u>4926 Nevada Ave</u>	<u>Ft Wayne</u>	<u>46815</u>
<u>Ernan Lynch</u>	<u>4926 NEVADA AVE</u>	<u>FT WAYNE</u>	<u>46815</u>
<u>Nancy R Huff</u>	<u>4918 NEVADA AVE</u>	<u>Ft Wayne Ind</u>	<u>46815</u>
<u>Richard N Huff</u>	<u>4918 Nevada Ave</u>	<u>Ft Wayne Ind</u>	<u>46815</u>
<u>Charles Baersinger</u>	<u>4912 Nevada</u>	<u>Ft Wayne Ind</u>	<u>46815</u>
<u>Frances Baersinger</u>	<u>4911 Nevada</u>	<u>Ft Wayne Ind</u>	<u>46815</u>
<u>Rat Dillman</u>	<u>5108 Nevada Ave</u>	<u>Ft Wayne</u>	<u>46815</u>
<u>David Dillman</u>	<u>5108 Nevada Ave</u>	<u>Ft Wayne</u>	<u>46815</u>
<u>Kathie Matthews</u>	<u>5128 Nevada Ave</u>	<u>IN</u>	<u>46815</u>
<u>William C Caswell</u>	<u>5210 Nevada Ave</u>	<u>Ind</u>	<u>46815</u>
<u>Nicholas E Johnson</u>	<u>5220 Nevada</u>	<u>Ft Wayne Ind</u>	<u>46815</u>
<u>David P Matthews</u>	<u>5128 NEVADA</u>	<u>Ft Wayne, IN</u>	<u>46815</u>
<u>Chad E. 188</u>	<u>5127 NEVADA</u>	<u>FT WAYNE IN</u>	<u>46815</u>
<u>David H. 188</u>	<u>5127 Nevada</u>	<u>Ft Wayne IN</u>	<u>46815</u>
<u>Cynthia S. Caswell</u>	<u>5210 Nevada Ave</u>	<u>Ft Wayne, Ind</u>	<u>46815</u>
<u>Nannette S. Asht</u>	<u>5204 Nevada Ave</u>	<u>Ft Wayne Ind</u>	<u>46815</u>
<u>Karen Asht</u>	<u>5204 Nevada Ave</u>	<u>Ft Wayne Ind</u>	<u>46815</u>
<u>K D Smith</u>	<u>4935 NEVADA</u>	<u>Ft Wayne</u>	<u>46815</u>

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<u>Louis A. Blake</u>	<u>1718 Reed Rd</u>
<u>DeLores M. Bleeke</u>	<u>" " "</u>
<u>Rich A. Glatter</u>	<u>1706 Reed Rd</u>
<u>Wendy L. Slatten</u>	<u>1706 Reed Rd</u>
<u>Jean Klonks</u>	<u>1724 Reed Rd</u>



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150X460 ft. SPC Adj on S Lots 108-112 Statewood Park Sec C Sec 33.

<i>Ella L. Pease</i>	<i>5108 E. State</i>
<i>Howard E. Pease</i>	<i>5108 E. State</i>
<i>Luella M. Krause</i>	<i>5122 E. State</i>
<i>Ruth Osborn</i>	<i>5204 E. State</i>
<i>Sid Osborn</i>	<i>5204 E. State</i>
<i>Mike Wilson</i>	<i>5212 E. State</i>
<i>Patricia J. MacWhorter</i>	<i>5420 E. State</i>
<i>Walter Herber</i>	<i>4964 E. State</i>
<i>Delbert Gibson</i>	<i>4828 E. State</i>

## STATEWOOD PARK ASSOCIATION INC.

The revised legal description of the area to be rezoned is as follows:

The real estate to be rezoned lies in the SW quadrant of SEC 33, St. Joseph Township 31 north, range 13 east, starting at a point 50 ft south and 40 ft east of the NW corner of the SW quadrant, SEC 33, Township 31 north, Range 13 east, Commencing at the NW corner of Lot #1 in the Statewood Park Addition Section "A", in the city of Fort Wayne, Allen County, Indiana; thence south a distance of approximately 1834.5 ft to a point at the SW corner of Lot #156 in the Statewood Park Addition Section "D", thence east a distance of 1686.5 ft to a point 154.5 ft south of the SE corner of Lot #114 in the Statewood Park Addition Section "C", thence north a distance of 1150.5 ft to a point at the NE corner of Lot #121 in the Statewood Park Addition Section "C", thence east a distance of 486 ft to a point at the SE corner of Lot #77 in the Statewood Park Addition Section "B", thence north a distance of 250 ft to a point at the SE corner of Lot #81 in the Statewood Park Addition Section "B", thence east a distance of 145 ft to a point at the SE corner of Lot #35 in the Statewood Park Addition Section "B", thence north a distance of 409.5 ft to a point at the NE corner of Lot #30 in the Statewood Park Addition Section "A", thence west, along the north line of Lots #1 thru #30 in said Statewood Park Addition Section "A", a distance of 2315 ft to the point of beginning at the NW corner of Lot #1.

OK - 2/16/88



# STATEWOOD PARK ASSOCIATION INC.

RE: Z-88-03-21

The Revised Legal Description, Dated 6-4-88, of the area to be Rezoned is as follows:

The real estate to be rezoned lies in the SW quadrant of SEC 33 St. Joseph Township 31 North, range 13 East, starting at a point 50 ft South and 40 ft East of the NW corner of the SW quadrant, SEC 33, Township 31 North, Range 13 East, Commencing at the NW corner of Lot #1 in the Statewood Park Addition Section "A", in the city of Fort Wayne, Allen County, Indiana; thence South a distance of approximately 669.5 ft to a point at the SW corner of Lot # 50 in Statewood Park Addition Section "A" thence East a distance of approximately 780 ft to a point at the NW corner of Lot # 97 in Statewood Park Addition Section "C", thence South a Distance of approximately 660 ft to a point at the NE corner of Lot # 147 in Statewood Park Addition Section "D", thence West a distance of approximately 786.5 ft to a point at the NW corner of Lot # 141 in Statewood Park Addition Section "D", thence South approximately 505 ft to a point at the SW corner of Lot #156 in the Statewood Park Addition Section "D", thence East a distance of 1686.5 ft to a point 154.5 ft South of the SE corner of Lot #114 in the Statewood Park Addition Section "C", thence North ~~to a point at the NE corner of Lot #121 in the Statewood Park Addition Section "C",~~ ~~thence East a distance of 486 ft to a point at the SE corner of Lot #77 in the Statewood Park Addition Section "B",~~ thence North a distance of 250 ft to a point at the SE corner of Lot #81 in the Statewood Park Addition Section "B", thence East a distance of 145 ft to a point at the SE corner of Lot #35 in the Statewood Park Addition Section "B", thence north a distance of 409.5 ft to a point at the NE corner of Lot #30 in the Statewood Park Addition Section "A", thence West, along the North line of Lots #1 thru #30 in said Statewood Park Addition Section "A", a distance of 2315 ft to the point of beginning at the NW corner of Lot # 1.

*Amended legal*

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 22, 1988 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-88-03-21; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 21, 1988.

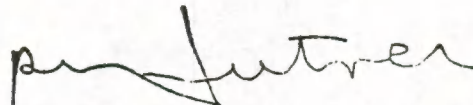
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 28, 1988.

Certified and signed this  
16th day of June 1988.



---

Robert Hutner  
Secretary



1420  
2 WKS  
7-1288  
26

~~10/10~~  
~~6/12~~

BILL NO. Z-88-03-21 (as amended)

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City  
of Fort Wayne Zoning Map No. T-14

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~) Do Pass

YES

NO

*Janet G. Bradbury*

JANET G. BRADBURY  
CHAIRPERSON

*Mark E. GiaQuinta*

MARK E. GIAQUINTA  
VICE CHAIRMAN

*Charles B. Redd*

CHARLES B. REDD

*David C. Long*

DAVID C. LONG

*Paul M. Burns*

PAUL M. BURNS

CONCURRED IN 7-26-88

*S. E. K.*

Sandra E. Kennedy  
City Clerk

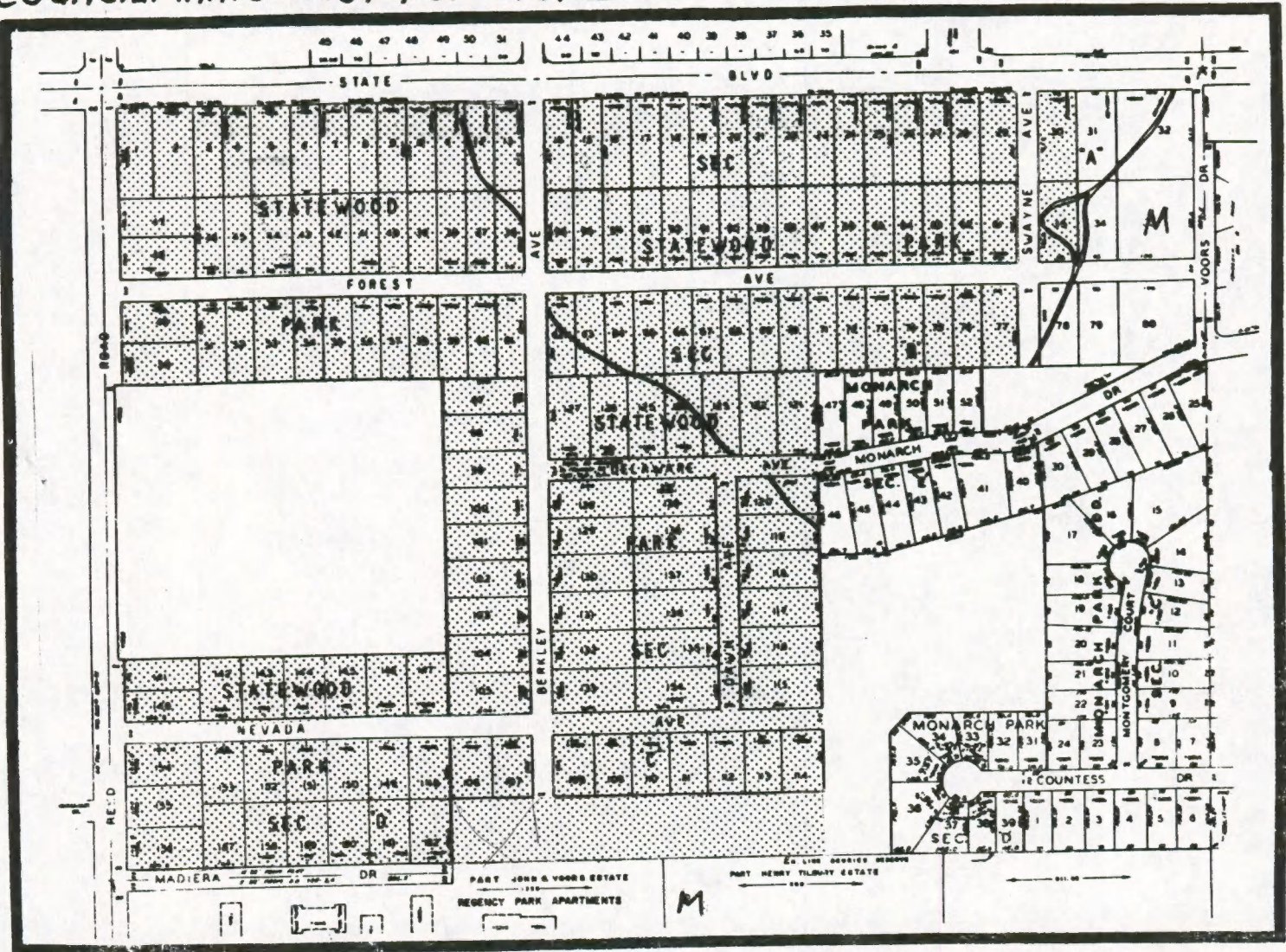


# REZONING PETITION #323

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A RA DISTRICT TO A RI DISTRICT.

MAP NO. T-14

COUNCILMANIC DISTRICT NO. 2



## ZONING:

RA RESIDENCE 'A'

## LAND USE:

- ☐ SINGLE FAMILY
- ☒ MULTI-FAMILY

*Z-88-03-21 (as amended)*

SCALE: (REDUCED)

DATE: 1-4-88

